

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 9, 2016

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JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 9, 2016

The Senate met in regular session at 9:03 a.m., President Pro Tempore Sodders presiding.

Prayer was offered by Pastor Bob Anderson of the Sunnyside Bible Chapel in Atlantic, Iowa. He was the guest of Senator Costello.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michael Kauzlarich and Nicole Bendt, IJAG students from Creston, Iowa.

The Journal of Tuesday, March 8, 2016, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 8, 2016, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2159](#), a bill for an act relating to public health including public health modernization and boards of health.

ALSO: That the House has on March 8, 2016, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2357](#), a bill for an act relating to turtle harvesting in the state and including effective date provisions.

Read first time and referred to committee on **Natural Resources and Environment**.

[House File 2399](#), a bill for an act relating to domestic abuse and other offenses involving a domestic relationship, and providing penalties.

Read first time and referred to committee on **Judiciary**.

SPECIAL GUEST

Senator Schultz introduced to the Senate chamber the Honorable Nancy J. Boettger, former member of the Senate from Shelby County, Harlan, Iowa.

The Senate rose and expressed its welcome.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:48 a.m., President Jochum presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Bertrand, Chelgren, and Zaun, until they arrive, on request of Senator Whitver; and Senator Wilhelm, until she returns, on request of Senator Gronstal.

UNFINISHED BUSINESS (Deferred March 8, 2016)

[Senate File 2248](#)

The Senate resumed consideration of [Senate File 2248](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable, and amendment [S-5060](#), deferred March 8, 2016.

Senator Bowman moved the adoption of amendment [S-5060](#).

Amendment [S-5060](#) was adopted by a voice vote.

Senator Feenstra withdrew amendment [S-5064](#), filed by him on March 8, 2016, to page 9 of the bill.

Senator Bowman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2248](#)), the vote was:

Yeas, 45:

Allen	Dearden	Kapucian	Segebart
Anderson	Dix	Kinney	Seng
Behn	Dotzler	Kraayenbrink	Shiple
Bisignano	Dvorsky	Mathis	Sinclair
Bolkcom	Feenstra	McCoy	Smith
Bowman	Garrett	Petersen	Sodders
Brase	Gronstal	Quirnbach	Taylor
Breitbach	Guth	Ragan	Whitver
Chapman	Hart	Rozenboom	Zumbach
Costello	Hogg	Schneider	
Courtney	Horn	Schoenjahn	
Danielson	Jochum	Schultz	

Nays, 1:

Johnson

Absent, 4:

Bertrand	Chelgren	Wilhelm	Zaun
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2248](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:57 a.m. until 9:00 a.m., Thursday, March 10, 2016.

APPENDIX**COMMUNICATIONS RECEIVED**

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

AUDITOR OF STATE

Iowa Department of Transportation, Office of Aviation 1/1/14–2/28/15 Report, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Iowa Homeland Security and Emergency Management Department, E911 Cost Data 7/1/12–6/30/14 Report, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Special Investigation of the City of Harris 7/1/11–9/30/14, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

Special Investigation of the Clinton High School Band Boosters 8/1/14–5/31/15, pursuant to Iowa Code section 11.6. Report received on March 9, 2016.

DEPARTMENT OF CORRECTIONS

Corrections Monthly Report Through February 29 2016, pursuant to Iowa Code section 904.116. Report received on March 9, 2016.

DEPARTMENT OF EDUCATION

Iowa Early Education Block Grant Program Report, pursuant to Iowa Code section 256D.3. Report received on March 9, 2016.

BOARD OF REGENTS

Span of Control Policy Report, pursuant to Iowa Code section 262.9C(5). Report received on March 9, 2016.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Don Hoth, Waterloo—For his outstanding leadership in the creation of the Black Hawk County Gaming Association and the enhancements it has brought to Cedar Valley. Senator Dotzler.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Wednesday, March 09, 2016, 10:05 a.m.

Members Present: Petersen, Chair; Anderson, Ranking Member; Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, Sodders, and Zumbach.

Members Absent: McCoy, Vice Chair; Bertrand, and Schoenjahn (all excused).

Committee Business: Discussed HF's 2261 and 2401.

Adjourned: 10:15 a.m.

HUMAN RESOURCES

Convened: Wednesday, March 09, 2016, 2:35 p.m.

Members Present: Mathis, Chair; Ragan, Vice Chair; Johnson, Ranking Member; Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor.

Members Absent: Chelgren and Wilhelm (both excused).

Committee Business: Passed [HF 2387](#) and withdrew [HF 2366](#).

Adjourned: 2:55 p.m.

STATE GOVERNMENT

Convened: Wednesday, March 09, 2016, 1:10 p.m.

Recessed: 1:15 p.m.

Reconvened: 1:50 p.m.

Members Present: Danielson, Chair; Courtney, Vice Chair; Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver.

Members Absent: Bertrand, Ranking Member (excused).

Committee Business: Passed HF's 2146, 2353, and 2364; and passed [HF 2363](#), as amended.

Adjourned: 1:55 p.m.

TRANSPORTATION

Convened: Wednesday, March 09, 2016, 2:35 p.m.

Recessed: 2:40 p.m.

Reconvened: 3:10 p.m.

Members Present: Bowman, Chair; Dvorsky, Vice Chair; Kapucian, Ranking Member; Brase, Breitbart, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirnbach, and Smith.

Members Absent: None.

Committee Business: Passed HFs 588, 617, and 2345, all as amended; and passed HFs 2356 and 2414.

Adjourned: 3:30 p.m.

STUDY BILL RECEIVED

[SSB 3171](#) **Ways and Means**

Relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2290](#)

APPROPRIATIONS: Schoenjahn, Chair; Dvorsky and Rozenboom

[House File 2357](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Brase and Rozenboom

[House File 2401](#)

(Reassigned)

COMMERCE: Courtney, Chair; Allen, Anderson, Bertrand, Bolkcom, Mathis, McCoy, Petersen, Schneider, Schoenjahn, Seng, Sinclair, Smith, Soddors, and Zumbach

[House File 2405](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Brase and Rozenboom

[SSB 3171](#)

WAYS AND MEANS: Hogg, Chair; Bolkcom and Feenstra

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [HOUSE FILE 2261](#), a bill for an act authorizing political subdivisions to invest in certain joint investment trusts that are operated in accordance with the governmental accounting standards board.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Petersen, Anderson, Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, 3: McCoy, Bertrand, and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2401](#), a bill for an act prohibiting persons from opening or using a credit card in the name of a minor without the consent of the minor's parent, guardian, or legal custodian, and providing criminal penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Petersen, Anderson, Allen, Bolkcom, Courtney, Mathis, Schneider, Seng, Sinclair, Smith, Soddors, and Zumbach. Nays, none. Absent, 3: McCoy, Bertrand, and Schoenjahn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 2387](#), a bill for an act requiring the dental board to offer an alternative examination for licensure.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Mathis, Ragan, Johnson, Allen, Bolkcom, Costello, Dotzler, Garrett, Jochum, Segebart, and Taylor. Nays, none. Absent, 2: Chelgren and Wilhelm.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 2146](#), a bill for an act authorizing the dispensing of lottery tickets and products by self-service kiosks, and including effective date provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Danielson, Courtney, Bowman, Chapman, Dearden, Dvorsky, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, 1: Feenstra. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2353](#), a bill for an act removing prohibitions on emergency management organization employees from holding elective office.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Danielson, Courtney, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2363](#), a bill for an act relating to member attendance and confidentiality at a closed session of a governmental body and providing penalties.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5072](#).

Final Vote: Ayes, 14: Danielson, Courtney, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2364](#), a bill for an act relating to public notice and the accessibility of meetings of governmental bodies.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Danielson, Courtney, Bowman, Chapman, Dearden, Dvorsky, Feenstra, Horn, Johnson, McCoy, Petersen, Schoenjahn, Schultz, and Whitver. Nays, none. Absent, 1: Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [HOUSE FILE 588](#), a bill for an act relating to the issuance of persons with disabilities removable windshield parking placards, and including effective date and applicability provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5073](#).

Final Vote: Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith. Nays, none. Absent, 1: Feenstra.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 617](#), a bill for an act providing for special vehicle registration plates displaying a decal designed and issued by a nonprofit organization, providing fees, making a penalty applicable, and including effective date provisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5074](#).

Final Vote: Ayes, 12: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, and Smith. Nays, 1: Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2356](#), a bill for an act providing for the towing of certain implements of husbandry in tandem among manufacturers, retail sellers, and farm purchasers.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2414](#), a bill for an act providing for the regulation of transportation network companies, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Bowman, Dvorsky, Kapucian, Brase, Breitbach, Danielson, Dearden, Feenstra, Horn, Kraayenbrink, McCoy, Quirmbach, and Smith. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 9, 2016, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 2288](#) – Relating to the confidentiality of juvenile court records in delinquency proceedings.

AMENDMENTS FILED

S-5071	S.F. 2267	Julian B. Garrett
S-5072	H.F. 2363	State Government
S-5073	H.F. 588	Transportation
S-5074	H.F. 617	Transportation